

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

<b>REFINED TECHNOLOGIES, INC.</b>	§	
	§	
<b>Plaintiff,</b>	§	
	§	<b>CIVIL ACTION NO. 3:22-cv-00197</b>
<b>vs.</b>	§	
	§	
<b>USA DEBUSK LLC; BLAKE</b>	§	<b>JURY TRIAL DEMANDED</b>
<b>MONTGOMERY; KYLE</b>	§	
<b>WILLIAMS; and RYAN ULFERTS</b>	§	
	§	
<b>Defendants.</b>	§	

**ORDER GRANTING USA DEBUSK LLC’S UNOPPOSED MOTION FOR  
LEAVE TO FILE ITS MOTION TO STRIKE THE UNAUTHORIZED AND  
IMPROPER “REBUTTAL” REPORT OF TERRY LIVINGSTON, P.E.  
AND EXHIBITS THERETO UNDER SEAL**

Upon consideration of Defendant USA DeBusk LLC’s (“USAD”) Unopposed Motion For Leave to File its Motion to Strike the Unauthorized and Improper “Rebuttal” Report of Terry Livingston, P.E. and Exhibits Thereto Under Seal (“Motion to Seal”), the Court finds that the USAD has met the strict balancing test outlined in *Le* to permit the filing under seal portion of USAD’s Motion to Strike and the entirety of Exhibits A-C to the Motion to Strike as identified in USAD’s Motion to Seal. *Binh Hoa Le v. Exeter Fin. Corp.*, 990 F.3d 410, 418-419 (5th Cir. 2021). Accordingly, the Court finds that USAD’s Motion to Seal should be, and is hereby, **GRANTED**.

The Court **ORDERS** the sealing of the highlighted portions of USAD's Motion to Strike and the sealing of Exhibits A-C of the Motion to Strike.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE ANDREW M EDISON  
UNITED STATES MAGISTRATE JUDGE